

## UNITED STATES DISTRICT COURT

for the

Southern District of Georgia  
Savannah Division

United States of America )

v. )

Gregory Capers )

Date of Previous Judgment: June 22, 1999 )

(Use Date of Last Amended Judgment if Applicable) )

Case No: CR498-00141-006USM No: 10008-021

David C. Walker

Defendant's Attorney

2008 JUN 23 PM 12:21

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 219 months is reduced to 210 months.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 35Amended Offense Level: 33Criminal History Category: IIICriminal History Category: IIIPrevious Guideline Range: 210 to 262 monthsAmended Guideline Range: 168 to 210 months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

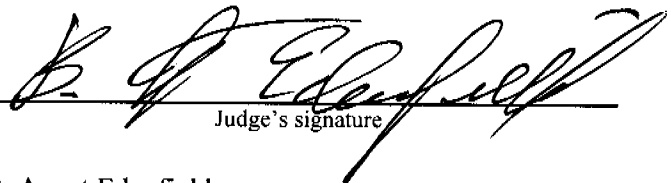
☐ Other (explain):

## III. ADDITIONAL COMMENTS

If this sentence is less than the amount of time the defendant has already served, the sentence is reduced to a "Time Served" sentence.

Except as provided above, all provisions of the judgment dated June 22, 1999, shall remain in effect.

IT IS SO ORDERED.

Order Date: June 23, 2008


Judge's signature

B. Avant Edenfield  
United States District Judge  
For the Southern District of Georgia

Printed name and title

Effective Date: \_\_\_\_\_  
(if different from order date)